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Following the disposition of a Pre Appeal Brief Review requested by Applicant, the claims were again examined by the Examiner. As a result of further examination, claims 1-6, 8-12, 14, 16-23, 25-28, 30-24, 36 and 28-44 stand rejected (non-final) under 35 U.S.C. §102(e) as being anticipated by Abrahams (US patent 6,944,773); and claims 7, 15, 29 and 37 stand rejected (non-final) under 35 U.S.C. 103(a) as being unpatentable over Abrahams in view of Price-Francis (US patent 5,815,252). Applicant respectfully traverses the rejections.

REMARKS

In response, Applicant has amended Independent claims 1, 22, 23 and 44. Neither Abrahams or Price-Francis, alone or in combination with each other, teach or suggest:

- (Independent Claim 1) - obtaining the identification of a user from a smart card presented to the electronic system by said user, accessing a user profile including biometric attributes associated with said user from said smart card, prompting said user to input to a biometric user interface associated with said electronic system at least one biometric attribute randomly selected from said user profile containing biometric attributes of said user; and permitting said user to perform a user-desired activity with the electronic system if at least one biometric attribute input by said user to said biometric user interface associated with said electronic system matches said at least one biometric attribute randomly selected from said user profile; or

- (Independent Claim 22) - obtaining identification of a user from a smart card presented to the electronic system by said user, based on said identification, using a computer network to obtain a user profile associated with said user from a remote server said user profile including biometric attributes, prompting a user to input to a biometric user interface associated with said electronic system at least two biometric attributes randomly selected from said user profile containing biometric attributes of said user, and permitting said user to perform a user-desired activity at said electronic system if biometric attributes input by said user to said biometric user interface associated with said electronic system matches said at least two biometric attribute randomly selected from said user profile; or

Page 10 of 12
SERIAL NO. 09/757,903

- (Independent Claim 23) - an electronic system adapted to permit a user to perform a user-desired activity if at least one biometric attribute input by the user to said biometric user interface matches said at least one biometric attribute randomly selected from a user profile accessible by the electronic system from a smart card presented to the electronic system by the user, a smart card reader associated with said electronic system, and a biometric user interface associated with said electronic system adapted to enable said user to input at least one biometric to said electronic system for comparison to at least one biometric attribute randomly selected by said electronic system from said user profile, wherein said electronic system is adapted to permit said user to perform a user-desired activity if at least one biometric attribute input by said user to said biometric user interface matches said at least one biometric attribute randomly selected from said user profile by said electronic system; or

- (Independent Claim 44) - an electronic system adapted to permit a user to perform a user-desired activity if at least one biometric attribute input by the user to said biometric user interface matches said at least one biometric attribute randomly selected from said user profile accessible by the electronic system over a computer network from a remote server, said electronic system including access to a remote server through electronic connection to a computer network, and said remote server adapted to store at least one user profile including biometric attributes and provide said electronic system access to said at least one user profile, a smart card reader associated with said electronic system, a biometric user interface associated with said electronic system adapted to enable said user to input at least one biometric to said biometric user interface for comparison to at least two biometric attributes randomly selected by said electronic system from said user profile, wherein said electronic system is adapted to permit said user to perform a user-desired activity if at least one biometric attribute input by said user to said biometric user interface matches said at least one biometric attribute randomly selected from said user profile by said electronic system.

Support for the amendments to independent claims 1, 22, 23 and 44 can be found within the disclosure as originally filed, and in particular in the Abstract, Figure 1 (see reference numeral #20, smart card used at ATM), and pages 27-29 where particular reference is made to "smart cards". No new matter has been added with the current amendments.

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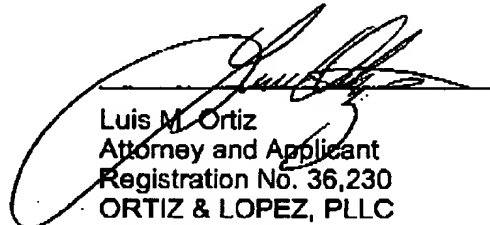
CONCLUSION

Applicant believes the amendment overcomes the rejections and request reconsideration of the pending claims, 1-12, 14-23, 25-34 and 36-44.

Respectfully submitted,

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